

Amendment Under 37 CFR § 1.116

Remarks

It is proposed to amend claim 1 by specifically identifying the end portion of the member in all applicable instances and by redefining the retaining slot as having an open end and a remote closed end thereby eliminating objectionable uses of end portion and making the claim more readily understandable to the Examiner. It is believed that amended claim 1 clearly complies with 35 USC § 112, second paragraph.

Amended claim 1 is clearly not anticipated by figure 2 of the Gleasman '857 patent for the following reasons:

1. The Gleasman slot 16, 18 which the Examiner regards as the claimed retention slot does not have a closed end that is remote from the inner end portion of the Gleasman slot A which the Examiner regards as the claimed loading slot.
2. The Gleasman slot 7 which the Examiner regards as the claimed first transition slot does not extend from one of the opposite sides of the end portion of the member unless Gleason slot 13 is included. Even then the Gleasman slot 7, 13 does not extend into the inner end portion of the loading slot and to the open end of the retention slot.
3. The Gleasman slot 7A is closed at both ends. Consequently, the Gleasman slot 7A cannot extend from either side of the end portion of the member 1. Therefore, it clearly does not extend from the opposite side of the end portion of the member. Moreover, the Gleasman slot 7A does not extend into the inner end portion of the loading slot and to the open end of the retention slot.

Thus amended claim 1 clearly defines an invention over U.S Patent 2,854,857 to Gleasman. This also applies to dependent claims 2-5.

Similar amendments have been made to claims 6, 8 and 9. Dependent claims 7 and 10 have amendments necessitated by the amendments to claims 6 and 9 respectively. Thus amended claims 6-10 also clearly define an invention over the Gleasman '857 patent.

Please enter the amendment under the provisions of 37 CFR § 1.116 and allow the patent application as the amended claims are believed to be allowable.

If it is determined that any fees are due, the Commissioner is hereby authorized and respectfully requested to charge such fees to Deposit Account No. 50-0831.


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on January 30, 2004.


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Respectfully submitted,

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